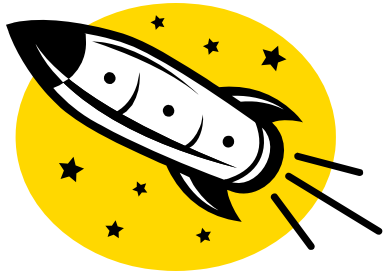
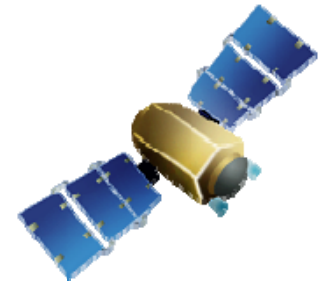


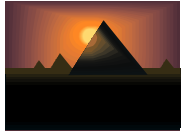
What's New at the Petroleum Claims (Fund) Branch?



Bennett Kottler, Supervisor



Organization of Presentation



Old News



What's New?

2005 Regulations

ASTs

USTs



Resolution 2007-10

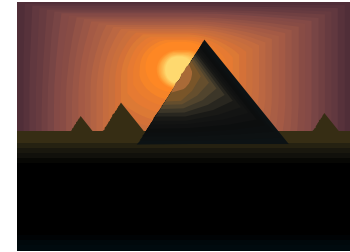
2nd \$1 million dollar allotment



Proposed Changes to CEM Cost Guidelines

Staff wants CEM input!

Good Old News



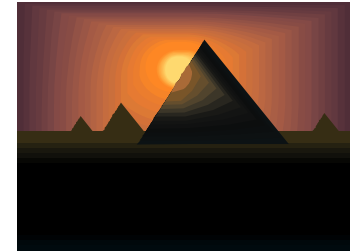
Purpose

- Meets U.S. federal financial responsibility
- Cleanup of accidental petroleum releases
- Certain above- and underground storage tanks
i.e. Regulated tanks
Noncommercial heating oil tanks <30,000 gallons

Funding

- 0.75 ¢ fee on gasoline and diesel fuel
- \$100 annual fee/enrolled regulated tank system.

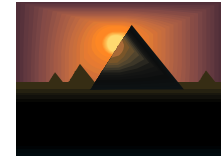
Good Old News



Process

- 1) Enrollment
 - a) Heating oil tanks - Automatic
 - b) Regulated USTs - \$100 fee, system tightness test, U.S. fed standards (structural, operating, and leak detection)
- 2) Application – Evaluation of release circumstances
- 3) Coverage – Up to \$1 million in qualified expense
 - Reductions for noncompliance
 - 10% co-payment
- 4) Claim Submittal – Invoices
- 5) Reimbursement – Approval at quarterly public board meetings.

Test Your Knowledge



Assuming a petroleum release occurred at a facility as a result of this situation, would the Fund cover the release?



2005 Regulations ASTs



NAC590.710

“Storage tank” to mean any tank, including any connected pipes, ***except piping above the Dispenser shear valve***

NAC590.740

“registered storage tank that is above ground must be inspected ***monthly***”

2005 Regulations Marina ASTs



2005 Regulations USTs



NAC 590.760 Discharges: Duties of operators.

2. As soon as possible ***but no later than 6 months*** after the discharge, the operator shall submit ... an application for coverage by the fund The application ... must be submitted on the form prescribed ... and must include:
 - (a) A written description of how, when and where the discharge occurred ***and identification of the release point source in accordance with 40 CFR 280.62 (a) (5))***;
 - (b) A description of any damage ... caused by the discharge ***and action taken to prevent further discharge in accordance with 40 CFR §§ 280.61 and 280.62***;

Resolution 2007-10

Resolution to Amend and Replace
the Policy to Review Third Party Liability Claims



December 6, 2007 NV Board to Review Claims Meeting

Clarifies access to 2nd \$1 million allotment
when \$1 million consumed by cleanup and additional
corrective actions needed to reduce the potential for
third party liability claims

Resolution 2007-10



- Corrective action reduces the potential for third party liability action
- No separation of off-site and on-site corrective actions claims
- 1st and 3rd party liability costs may be reimbursed simultaneously
- Third party liability coverage may be used for corrective actions
- Petroleum Fund and Corrective Actions staff should jointly review each case requesting 3rd party liability coverage.
- Owners may access funds for 3rd liability claims after acknowledging reduction of total funds available a 3rd party liability lawsuit.
- Two owners accessed funds with new policy at Dec. 2007 meeting

Changes to CEM Cost Guidelines Proposed!

Staff wants your input! Staff wants your input!



Background

- Established 1994
- Not-To-Exceed Proposals (NTEPs) Prep and Review
- Regulatory concurrence
- 40CFR280 Activities: Abatement, Characterization, CAP, Monitoring & Maintenance, Closure
- Change Orders
- Last updated 2001

Tables

- | | |
|---------------|--|
| - Task | Well Drilling, Pilot testing, O&M, Reporting |
| - Skill Level | Principal, Technician, Administrative |
| - Units | Hours/Feet |

New Tasks!

Staff wants your input! Staff wants your input!



HEALTH AND SAFETY PLAN UPDATE

SENSITIVE RECEPTOR SURVEY

INFILTRATION/INJECTION TEST

SITE CLOSURE REQUEST REPORT PREPARATION

New Tasks!

Staff wants your input! Staff wants your input!



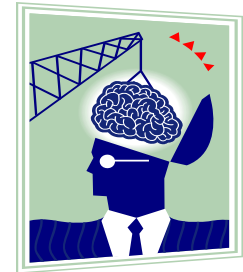
B.5. INFILTRATION/INJECTION TEST

Scope of Work: All personnel time to perform a 6 hour infiltration test to determine aquifer characteristics for reinjection of treated groundwater, injection of hydrogen peroxide, Fentons Reagent, ozone, oxygen, electron acceptors/donors, etc.

SKILL LEVEL	DUTIES	TOTAL HOURS
Principal	Data Review	1
Project Manager/ Senior Engineer/ Senior Geologist	Project management, data analyses	4
Staff Engineer/ Staff Geologist	Perform test, data analyses	16
TOTAL HOURS		21

New Tasks!

Staff wants your input! Staff wants your input!



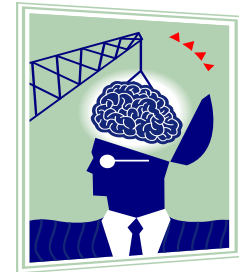
G.1. SITE CLOSURE REQUEST REPORT PREPARATION

All personnel time to produce stand-alone report requesting regulatory site closure with known groundwater contamination left in place. Must present calculations and modeling that contaminant plume will naturally attenuate before offsite migration or receptor impacts.

<u>SKILL LEVEL</u>	<u>DUTIES</u>	<u>TOTAL HRS</u>
<u>Project Manager/ Senior Engineer/ Senior Geologist</u>	<u>Performing calculations & modeling/report preparation</u>	<u>7</u>
<u>Staff Engineer/ Staff Geologist</u>	<u>Review of historical data, performing calculations & modeling/report preparation</u>	<u>7</u>
<u>Admin/Clerical</u>	<u>Word processing/admin support</u>	<u>2</u>
<u>TOTAL HOURS FOR TASK</u>		<u>16</u>

New Rates!

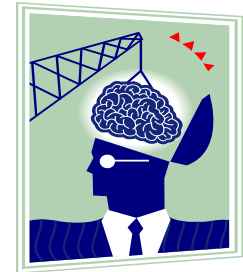
Staff wants your input! Staff wants your input!



CEM IN-HOUSE EQUIPMENT RENTAL	
EQUIPMENT	RATE/ DAY
Variable-Flow Purge Pump (Including Decon Materials)	\$95
pH/Conductivity/Temp Meter	\$15 \$20
Dissolved Oxygen Meter	\$15 \$20
Anemometer	\$15 \$20
Redox Meter	\$20
Air Sample Pump	\$25
Air Sample Bag	\$10
Portable Generator	\$40 \$45
Hydrogen Peroxide Injection Wagon	\$110

New Rates!

Staff wants your input! Staff wants your input!



CEM IN-HOUSE MATERIALS	
MATERIALS	COST
Disposable Bailer (Each)	\$ 97 .50
55-Gallon Drum (Each)	\$45 <u>\$50</u>
Tyvek Coveralls (Each)	\$ 97

Conclusions

Petroleum Fund procedures and policies continue

Stay abreast of New Regulations and Resolution

<http://ndep.nv.gov/bca/fundhome.htm>

Express interest in (1/2 d?) PET Fund workshop
on proposed changes to CEM Cost Guidelines

Staff wants CEM input!

